

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

1. (Currently Amended) A substrate testing device for testing a substrate by scanning of an electron beam across the substrate, comprising:
  - a testing unit for acquiring a tested result of the substrate by the scanning of the electron beam;
  - an alignment mark detecting unit for optically detecting an alignment mark on the substrate;
  - a substrate position calculating unit for calculating a substrate position within said substrate testing device from a position of said alignment mark; and
  - a position aligning unit for aligning a position of the tested result with the calculated substrate position, converting the tested result position into the substrate position, and said position aligning allocating the tested result to the substrate position.
2. (Currently Amended) The substrate testing device according to claim 1, wherein said position aligning unit aligns a defect result, obtained by a defect test based on the tested result, with the substrate position.

3. (Original) The substrate testing device according to claim 1, wherein said alignment mark detecting unit comprises an optical microscope or a CCD camera for picking up an image of the alignment mark on the substrate.

4. (Original) The substrate testing device according to claim 2, wherein said alignment mark detecting unit comprises an optical microscope or a CCD camera for picking up an image of the alignment mark on the substrate.

5. (Currently Amended) A substrate testing method for testing a substrate by scanning of an electron beam across the substrate within a substrate testing device, comprising:

acquiring a tested result of the substrate by the scanning of the electron beam;

optically detecting an alignment mark on the substrate;

calculating a substrate position within the substrate testing device from a position of the alignment mark;

by converting the tested result position into the substrate position based upon the calculated substrate position; and

allocating the tested result to the substrate position.

6. (Currently Amended) The substrate testing method according to claim 5, wherein said position aligning step includes aligning a defect result, obtained by a defect test based on the tested result, with the substrate position.